

## **REMARKS**

This application was filed with 84 claims. Claims 4-32, 36-63 and 67-84 were canceled by preliminary amendment. Claims 1-3, 33-35, 64-66 and 85-95 have been rejected. Claims 1, 33 and 64 have been amended herein. Therefore, claims 1-3, 33-35, 64-66 and 85-95 are pending in the Application. Reconsideration of the application based on the claims as amended and remarks submitted below is respectfully requested.

### **Interview Summary**

Applicant would like to thank the Examiner for extending the courtesy of the interview on November 15, 2010 with Applicant's undersigned representative. During the interview, distinctions between the present invention and cited prior art were discussed in some detail. The Examiner indicated that the rejections of the independent claims under 35 U.S.C. 103 would stand, but suggested appropriate amendments more specifically describing the scope and subject matter of claim terms including the "communication channel" and the "echo" that a control device generates and transmits upon receiving a message containing an addressee identification number differing from its own identification number. Amendments are presented herein in accordance with if not directly restating certain suggestions of the Examiner.

### **Oath/Declaration**

As noted in Applicant's response dated October 27, 2010, Applicant will submit a new Declaration that identifies the citizenship of each inventor as such time as this Application is determined to be in condition for allowance.

#### Specification

As noted in Applicant's response dated February 23, 2010, Applicant will submit a corrected Specification and new Abstract page at such time as the Application is determined to be in condition for allowance.

#### Claim Rejections - 35 U.S.C. § 103

Claims 1-3, 33-35, 64-66 and 85-95 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,692,761 to Robinton in view of U.S. Publication No. 2003/0097482 to DeHart et al. and U.S. Patent Publication No. 2003/0103521 to Raphaeli et al. In accordance with amendments to Claims 1, 33 and 64 as presented herein, Applicant respectfully requests reconsideration and allowance of the rejected claims.

Each of Independent Claims 1, 33 and 64 has been amended to require the communication channel to be a power line communication channel, in accordance with suggestions of the Examiner. Each of Independent Claims 1, 33 and 64 has further been amended to require each echo generated and transmitted by the various control devices along with communication channel to not be addressed to a specific intermediate control device on said channel or a next control

device along a specific message route. Support for this limitation may be found at least throughout the “Object and summary of the invention” section of the specification, which directly distinguishes the present invention from the data transmission system of the cited prior art.

Applicant respectfully submits the independent claims as amended herein are novel and non-obvious with respect to the cited prior art. Applicant further submits that the other currently pending claims being dependent back to Claims 1, 33 or 64 are each further novel and non-obvious with respect to the cited prior art, and respectfully requests their reconsideration and allowance.

#### Conclusion

Applicant has commented on some of the distinctions between the cited references and the claims to facilitate a better understanding of the present invention. This discussion is not exhaustive of the facets of the invention, and Applicant hereby reserves the right to present additional distinctions as appropriate. Furthermore, while these remarks may employ shortened, more specific, or variant descriptions of some of the claim language, Applicant respectfully notes that these remarks are not to be used to create implied limitations in the claims and only the actual wording of the claims should be considered against these references.

Pursuant to 37 C.F.R. § 1.136(a), Applicant requests an extension of time for responding to the Final Office Action for one month from October 27, 2010, to

November 27, 2010, in addition to the previous two months' extension fees previously requested and charged to Applicant in the Response dated October 27, 2010. Applicant authorizes the Commissioner to charge Deposit Account No. 23-0035 in the amount \$810.00 for the petition fee.

The Commissioner is authorized to charge any deficiency or credit any overpayment associated with the filing of this Response to Deposit Account 23-0035.

Respectfully submitted,

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